IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4412 OF 2004

Vithhal Lotan Sonawane
and others ... Applicants

versus

State of Maharashtra ... Respondent

...

Mr. S.B. Shetye, for the Applicants.

Mr. V.B. Konde Deshmukh, A.P.P., for the Respondent.

...

CORAM : A.M.KHANWILKAR,J.

5th November 2004

P.C.:

. Heard Counsel for the parties. Perused the record. There is ample material on record to directly involve the Applicants in the commission of the alleged offence. The F.I.R. gives graphic description about the incident that took place on 9th May 2004 at the time of marriage, where the Applicants took up quarrel on some paltry issue and challenged the complainant that

he will see that his daughter will not be able to consummate her marriage even for one day and Vinod will re-marry in 8 days' time. There is material on record to support this position. Reliance was placed by the Counsel for the Applicants on the statement of Shobhabai Ashok Borse to contend that the behaviour of the husband was normal on the given day when he was seen along with the deceased and the Applicants had no concern with the event that has taken place soon thereafter. It is not possible to accept this submission. Taking overall view of the matter, to my mind, there is ample material on record to show the involvement of the Applicants in the commission of the alleged offence. Lastly, it was argued that at least bail be granted to Applicant No. 3, who is female and aged about 60 years. I see no reason to accede to this request, because the record indicates that she had taken up cudgels at the relevant time and perhaps taken lead in the commission of the alleged offence. Not a case for bail. Rejected. The District & Sessions Judge, Nashik, is directed to assign this case to Fast Track Court for trial to ensure early disposal of the trial.

(A.M.KHANWILKAR,J.)